

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
Case No. 20-CV-01660

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ALL COUNSEL MEET & CONFER  
September 16, 2021 @ 10:00AM  
AGENDA

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Plaintiffs' Counsel propose the following agenda for efficiency and productivity for the meet & confer on Thursday, September 16, 2021 @ 10am via zoom, with the understanding that all will make reasonable and good faith efforts to propose and agree with regard to each of the topics below:

1. Preservation Efforts.
  - a. Status of each side's litigation hold/posture (explicit notice on 10/11/2020 to Defendants);
  - b. Where is data being held – subjects, devices, people, and locations;
  - c. Procedures used to track holds (automated deletion programs/ IT upgrades been suspended to avoid loss of data? Confirmation)
2. Updating the Initial Disclosures and Scope of Discovery Rule 26 meeting.
  - a. status of information and updates to info contained in the initial disclosures;
  - b. data volume, sources, types, locations, custodians, systems, and potential data collection status;
  - c. status of searching methodologies, keyword lists and use of predictive coding.
3. Phasing of Discovery.
  - a. specific topics list, limits and anticipated deadlines:
    - i. depositions
    - ii. admissions
    - iii. interrogatories
    - iv. documents
4. Production Format.
  - a. Current availability of HD
  - b. Preferred organization and index
  - c. Metadata confirmed (native files included and how)
  - d. Redacted and unredacted requirement
5. Deposition structure.
  - a. Agreed upon court reporter (Polaris)
  - b. Zoom standards/attendance (COVID potential)



- c. Reservation of objections (e.g., to relevance, lack of foundation, non-responsiveness, speculation, or to the form of the question) until trial
- 6. Privilege Claims.
  - a. Already agreed upon mutually applicable clawback agreement for any inadvertent production of privileged or work product protected documents.
- 7. Potential amenability to ADR
  - a. Mediation/arbitration

Knowlton volunteers to reduce to writing any agreements herein and/or “map” moving forward and will forward to all on Friday, September 17, 2021.